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FAIRS Subject Report

Approved By:

Christopher Riker

Prepared By:

Staff

Report Highlights:

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between October 1 and December 2, 2013 that impact CU food and agriculture policy. Key documents included herein are a number of draft SPS measures published for public review/comment; Technical Regulations of the Customs Union “On Safety of Milk and Dairy Products” and “On Safety of Meat and Meat Products,” EEC Collegium decision No. 242 establishing CU tariff-rate quotas for 2014, as well as some decisions on import tariff changes affecting a number of agricultural goods (which appear consistent with Russia’s World Trade Organization (WTO) commitments). Russia notified several of the SPS measures covered in this report to the WTO.

General Information:

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between October 1 and December 2, 2013 that impact CU food and agriculture policy. Key documents included herein are a number of draft SPS measures published for public review/comment; Technical Regulations of the Customs Union “On Safety of Milk and Dairy Products” and “On Safety of Meat and Meat Products,” EEC Collegium decision No. 242 establishing CU tariff-rate quotas for 2014, as well as some decisions on import tariff changes affecting a number of agricultural goods (which appear consistent with Russia’s World Trade Organization (WTO) commitments).

The documents below are hyperlinked via “Google Translate,” for readers seeking further details. Select “refresh” on your browser if the page does not translate to the end.

As of the date of publication of this report, several of the SPS measures below have been notified to the WTO, as specified in the Post comment on such measures throughout the report.

SPS MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: October 17, 2013

- 1. Veterinary Requirements:** Draft Amendments to the Unified Veterinary (Veterinary and Sanitary) Requirements for Goods Subject to Veterinary Control (Surveillance) – original in [Russian](#) (*Please disregard the EEC popup window asking for a password by pressing cancel or closing the window*). For English, please see GAIN report [RS1372 Amendment to Customs Union Pet Food Measure Notified to WTO](#).

Comment: On October 17, 2013, Russia notified the WTO of a draft amendment to the CU veterinary requirements (i.e., [G/SPS/N/RUS/36](#)). In particular, the amendment clarifies that requirements on the absence of botulinic toxin apply only to canned pet food. The 60-day public comment period ends on December 16, 2013. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA’s enquiry point at us.spsenquiry@fas.usda.gov.

- 2. Forms of Unified Veterinary Certificates:** Draft Amendments to CU Commission Decision No. 607 of April 7, 2011 – original in [Russian](#) (*Please disregard the EEC popup window asking for a password by pressing cancel or closing the window*). For English, please see GAIN report [RS1376 Customs Union Publishes SPS Measure for Public Comment](#).

Comment: On October 29, 2013, Russia notified this draft document to the WTO via [G/SPS/N/RUS/38](#). According to the notification, the draft document amends the CU form of veterinary certificate No. 36 for cat and dog feeds. In particular, the document adjusts the veterinary certificate in accordance with the relevant Common veterinary requirements (Chapter 37). Amendments to the Chapter 37 of the Common veterinary requirements were notified in [G/SPS/N/RUS/36](#) above. These amendments clarify that requirements on the absence of botulinic toxin apply only to canned pet food. The 60-day public comment period

ends on December 28, 2013. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA's enquiry point at us.spsenquirypoint@fas.usda.gov.

- 3. Unified List of Goods Subject to Veterinary Control:** Draft Amendments to the Unified List of Goods Subject to Veterinary Control (Surveillance) – original in [Russian](#) (*Please disregard the EEC popup window asking for a password by pressing cancel or closing the window*). For English, please see GAIN report [RS1373 Amendment to Customs Union SPS Measure Notified to WTO](#).

Comment: On October 22, 2013, Russia notified the WTO of a draft amendment to the Customs Union (CU) List of Goods Subject to Veterinary Control (Surveillance) (i.e., [G/SPS/N/RUS/37](#)). The amendment corrects a technical error by deleting goods under HS CU heading 2852 (i.e., inorganic or organic compounds of mercury) from the List. The 60-day public comment period ends on December 20, 2013. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA's enquiry point at us.spsenquirypoint@fas.usda.gov.

RECOMMENDATION No. 16 OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM of November 5, 2013

Publication Date: November 6, 2013

[EEC Collegium Recommendation No. 16](#). *On Amending Explanatory Notes to the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union (CU HS Code)* - original in [Russian](#)

Summary: The recommendation introduces a number of technical amendments to the EEC Collegium Recommendation No. 4 March 12, 2013, which impacts both agricultural and non-agricultural items. With regard to agriculture, the product descriptions for CU HS 0904, 1212, and 1302 have been modified for clarity.

INTERNATIONAL AGREEMENTS

Publication Date: November 7, 2013

Memorandum on Deeper Cooperation between the Eurasian Economic Commission and the Republic of Armenia - original in [Russian](#)

Summary: The document was signed in Yerevan on November 6, 2013, in line with [Decision of the Supreme Eurasian Economic Council No. 49](#) below. According to the Memorandum, it is not an international treaty and does not entail any legal obligations for the Parties. At the same time, it would allow Armenia to take part in the CU meetings and obtain copies of CU public documents. In its turn, Armenia would declare its intention to adhere to the CU principles and refrain from actions and statements that are against the CU's interests. Per the memorandum, Armenia is to appoint a duly authorized representative for such cooperation with the CU.

Publication Date: November 18, 2013

Memorandum of Understanding between the Eurasian Economic Commission and Food and Agriculture Organization of the United Nations - original in [Russian](#)

Summary: The Memorandum was signed in Budapest on November 12, 2013. According to the memorandum, it is not an international treaty and does not entail any legal obligations for the Parties. The memorandum is a declaration by the Parties of their intent to cooperate through information exchange on issues within their competencies, including sustainable development of rural areas, food security, mitigation of the consequences of climate change on agriculture, sustainable use of natural resources (including land and water), assessment of the effect of food security on socio-economic issues, scientific research related to agri-food markets, sanitary-epidemiological well-being of the population, as well as phytosanitary and veterinary safety of the territories

**MEETING OF THE SUPREME EURASIAN ECONOMIC COUNCIL AT THE HEADS OF
STATE LEVEL
October 24, 2013**

Publication Date: October 25, 2013

EEC Supreme Council Decision No. 49. *On Accession of the Republic of Armenia to the Customs Union and Single Economic Space of the Republic of Belarus, the Republic of Kazakhstan, and the Russian Federation* - original in [Russian](#)

Summary: The decision approved draft Memorandum on Deeper Cooperation between the Eurasian Economic Commission and the Republic of Armenia. It also instructed EEC to sign the Memorandum, establish a working group and draft a roadmap for Armenia's accession to CU and SES.

**8th MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
October 9, 2013**

Publication Date: October 11, 2013

EEC Council Decision No. 58. *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union for Certain Types of Goods in Accordance with the Commitments of the Russian Federation in the Framework of the WTO* - original in [Russian](#)

Summary: The decision would decrease the current import tariff for products of fruit processing classified under CU HS 2007 99 100 0 from 13.7% to 13% as of December 31, 2013.

EEC Council Decision No. 60. *On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union and the Unified Customs Tariff of the Customs Union in Respect of Certain Types of Fruit Processing Products* - original in [Russian](#)

Summary: The decision temporarily reduces the import duty on some processed fruit products. In particular, it reduces import duties to zero percent for jams, fruit jellies, marmalades, etc. classified under the new CU HS code 2007 99 390 1, for a period of one year, and those classified under the new CU HS codes 2007 99 500 2 and 2007 99 970 2 – for two years beginning November 1, 2013. Prior to the change, the CU import tariff for these products ranged from 10 to 13.5 percent.

EEC Council Decision No. 67. *On the Technical Regulation of the Customs Union “On Safety of Milk and Dairy Products”* - original in [Russian](#)

Summary: The document adopts the Technical Regulation (TR) of the Customs Union “On Safety of Milk and Dairy Products” (TR TS 033/2013.) According to the Decision, the TR shall come into effect as of May 1, 2014. For English, please see GAIN report [RS1382 Customs Union Technical Regulation on Milk and Dairy Products](#).

EEC Council Decision No. 68. *On the Technical Regulation of the Customs Union “On Safety of Meat and Meat Products”* - original in [Russian](#)

Summary: The document adopts the Technical Regulation (TR) of the Customs Union “On Safety of Meat and Meat Products” (TR TS 034/2013.) According to the Decision, the TR, for the most part, will come into effect as of May 1, 2014. For English, please see GAIN report [RS1384 Customs Union Technical Regulation on Meat](#).

**9th MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
October 24, 2013**

Publication Date: October 25, 2013

EEC Council Decision No. 75. *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union in Respect of Certain Types of Apple Juice Concentrate* - original in [Russian](#)

Summary: The decision temporarily decreased the import tariff for two types of apple juice concentrate (CU HS 2009 79 190 2 and 2009 79 300 1) from the current rate of 10% but not less than 0.05 Euro per liter to 0% for the period from December 1, 2013, through November 30, 2014.

**10th MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
November 19, 2013**

Publication Date: November 21, 2013

EEC Council Decision No. 71. *On the Working Group on the Issue of Accession of the Republic of Armenia to the Customs Union and Single Economic Space of the Republic of Belarus, the Republic of Kazakhstan, and the Russian Federation* - original in [Russian](#)

Summary: According to the Decision, Tatiana Valovaya, EEC Collegium Member, Minister for Main Directions of Integration and Macroeconomics, will head the working group (WG). Russian representatives in the WG will include officials from the Ministry of Economic Development, the Ministry of Foreign Affairs, the Ministry of Finance, and the Ministry of Industry and Trade.

EEC Council Decision No. 84. *On Amendments to Regulation on the Uniform Procedure for Veterinary Control at the Customs Border of the Customs Union and in the Customs Territory of the Customs Union* - original in [Russian](#)

Summary: The Decision adds a provision to ensure that forms for veterinary certificates are secure and cannot be forged. As a draft, Russia notified the WTO of this document via [G/SPS/N/RUS/28](#) of July 8, 2013. For details, please see GAIN report [RS1339 Customs Union Publishes SPS Measures for Public Comment](#).

32nd MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM October 29, 2013

Publication Date: October 30, 2013

EEC Collegium Decision No. 242. *On the List of Goods, which are Subject to Tariff-Rate Quotas in 2014, and the Volume of Tariff-Rate Quotas for Imports of these Goods into the Member States of the Customs Union and Single Economic Space* - original in [Russian](#)

Summary: The decision determines the list of commodities subject to tariff rate quota (TRQ) regulations in 2014 and the volumes for the tariff-rate quotas for imports of these goods into the Customs Union territory (i.e., Russia, Kazakhstan, and Belarus). Russia's TRQ volumes appear consistent with its WTO commitments. The EEC Decision came into force on November 9, 2013. For additional details, please see GAIN report [RS1379 Eurasian Economic Commission Announces 2014 Meat Poultry Whey TRQs](#).

Publication Date: November 5, 2013

EEC Collegium Decision No. 244. *On Amendments to the Unified Veterinary (Veterinary and Sanitary) Requirements to Goods Subject to Veterinary Control (Surveillance)* - original in [Russian](#)

Summary: The decision adds a new Chapter with veterinary requirements for live earth worms. As a draft, Russia notified the WTO of this document via [G/SPS/N/RUS/27](#) of July 8, 2013, and issued another notification (i.e., [G/SPS/N/RUS/27/Add.1](#)) informing the WTO of the final rule on November 15, 2013.

EEC Collegium Decision No. 245. *On Amendments to Decision of the Customs Union Commission No. 607 of April 7, 2011* - original in [Russian](#)

Summary: The decision adds a new form of uniform veterinary certificates – for earth worms. As a draft, Russia notified the WTO of this document via [G/SPS/N/RUS/29](#) of July 8, 2013, and

issued another notification (i.e., [G/SPS/N/RUS/29/Add.1](#)) informing the WTO of the final rule on November 21, 2013.

33rd MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
November 5, 2013

Publication Date: November 6, 2013

EEC Collegium Decision No. 247. *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union in Respect of Certain Types of Cheese* - original in [Russian](#)

Summary: The decision reduces the import tariff for four types of cheese. In particular, the tariff for ground or powdered cheese (CU HS 0406 20 100 0 and 0406 20 900 0) will be reduced to 18.3% but not less than 0.37 Euro per kg, from the current rate of 20% but not less than 0.4 Euro per kg. The tariff for Feta cheese (CU HS 0406 90 320 9) will be reduced from 25% but not less than 0.43 Euro per kg, to 21.7% but not less than 0.43 Euro per kg. Finally, the tariff for other cheeses (CU HS 0406 90 990 9) will decrease from 20% but not less than 0.32 Euro per kg, to 18.8% but not less than 0.38 Euro per kg. The changes appear consistent with Russia's WTO commitments and will come into force as of December 6, 2013.

36th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
November 26, 2013

Publication Date: November 27, 2013

EEC Collegium Decision No. 269. *On Adoption of Plan of Priority Measures to Adjust the Economies of the Member States of the Customs Union and Single Economic Space to the Terms of Accession to the World Trade Organization in 2013-2014* - original in [Russian](#)

Summary: The decision adopts the respective plan which spells out such measures as increasing business awareness about the WTO rules and standards through conferences and roundtables, studying international experiences on the issue, developing methods to address trade barriers, monitoring of third countries' measures, training programs, etc.

EEC Collegium Decision No. 274. *On Amendments to the Program for Development (Amendments, Revision) of Interstate Standards, Voluntary Application of which Ensures Compliance with the Requirements of the Technical Regulation of the Customs Union "On Safety of Packaging" (TR TS 005/2011), as well as Interstate Standards Containing the Rules and Methods of Examination (Testing) and Measurement, Including the Rules for Selection of Samples Required for Application and Meeting of the Requirements of the Technical Regulation "On Safety of Packaging" (TR TS 005/2011) and Carrying out of Assessment (Confirmation) of the Products' Conformity* - original in [Russian](#)

Summary: The amendments approved by the decision includes a one-year delay for the implementation of a number of the plan's items, as well as the addition of four new items and deletion of six items that were originally included therein.

37th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 2, 2013

Publication Date: December 2, 2013

EEC Collegium Decision No. 279. *On Amendments to the Rules for Application of Customs Valuation Method of the Transaction Value of the Imported Goods (Method 1) - original in [Russian](#)*

Summary: The decision approves a number of amendments to the rules for application of the respective customs valuation method, including on the basis of the WTO Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994. For example, one of the amendments specifies that transportation, insurance, licensing and similar costs shall be included in the customs value. Additionally, a new section “I. Price that was Actually Paid or is Payable for the Imported Goods” is added to the rules.